

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

LIVIA M. SCOTTO,

Plaintiff,

v.

MAIMONIDES HOSPITAL, DR. JASON J.
JARMILLIONO, DR. PARIS, DR. HEACHT,
and DR. JOSHUA KIRSCHSTEIN,

Defendants.

NOT FOR PUBLICATION

MEMORANDUM & ORDER
19-CV-2821 (MKB)

MARGO K. BRODIE, United States District Judge:

Plaintiff Livia M. Scotto, proceeding *pro se*, commenced the above-captioned action on May 3, 2019, against Defendants Maimonides Hospital, Dr. Jason J. Jarmilliono, Dr. Paris, Dr. Heacht, and Dr. Joshua Kirschstein. (Compl., Docket Entry No. 1.) By Memorandum and Order dated July 26, 2019, the Court granted Plaintiff's application to proceed *in forma pauperis*, dismissed the Complaint pursuant to Rule 8 of the Federal Rules of Civil Procedure "because it [was] incoherent and incomprehensible and fail[ed] to state any facts against the Defendants," and granted Plaintiff leave to file an amended complaint "in [an] abundance of caution." (Order dated July 26, 2019, Docket Entry No. 6.)

On August 29, 2019, Plaintiff filed a 237-page "memorandum of law."¹ (Pl.'s Mem. of Law, Docket Entry No. 9.) On September 25, 2019, Plaintiff filed a second "memorandum of law." (Pl.'s Second Mem. of Law, Docket Entry No. 10.) Neither submission complies with the

¹ On August 29, 2019, Plaintiff filed an interlocutory appeal and on April 10, 2020, the United States Court of Appeals for the Second Circuit dismissed Plaintiff's interlocutory appeal. *Scotto v. State of Hawaii*, No. 19-2919 (2d Cir. Apr. 10, 2020).

Court's Order directing Plaintiff to file an amended complaint that sets forth coherent facts to plausibly state a claim upon which relief may be granted. Plaintiff's submission continues her pattern of submitting a numerous and random assortment of incoherent documents.² In addition, each submission also lists other docket numbers for unrelated cases filed in the federal district and appellate courts and does not include any coherent facts that would suggest a plausible claim against the Defendants named herein.

For the foregoing reasons, the Court dismisses the Complaint. The Court certifies pursuant to 28 U.S.C. § 1915(a) that any appeal would not be taken in good faith and, therefore, denies *in forma pauperis* status for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962). The Clerk of Court is directed to enter judgment, mail a copy of this Memorandum and Order to Petitioner at her address of record, and close this case. The Court's Filing Injunction Order remains in effect.

Dated: June 15, 2021
Brooklyn, New York

SO ORDERED:

s/ MKB
MARGO K. BRODIE
United States District Judge

² After Plaintiff filed this action, the Court enjoined her from filing any new *in forma pauperis* action without first obtaining leave of the Court. *See Scotto v. State of Hawaii*, No. 19-CV-5167 (E.D.N.Y. Mar. 10, 2020) (Docket Entry No. 9).